

Atty Docket No. 020366-075210US

PTO FAX NO.: 703-872-9306

TELEPHONE NO.: 703-308-1202

RECEIVED
CENTRAL FAX CENTER

APR 18 2005

OFFICIAL COMMUNICATION
FOR THE ATTENTION OF
OFFICE OF PETITIONS

CERTIFICATION OF FACSIMILE TRANSMISSION

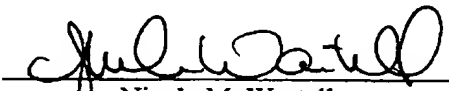
I hereby certify that the following documents in re Application of Donald E. Gillespie et al., Application No. 09/642,203, filed August 19, 2000 for METHOD AND SYSTEM FOR CONDITIONALLY ROUTING CALLS are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Application for Patent Term Adjustment under 37 CFR 1.705(b) (3 pages)
2. Transmittal Form (1 page)

Number of pages being transmitted, including this page: 5

Dated: April 18, 2005


Nicole M. Wartell

**PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (303) 571-4321**

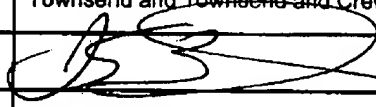
TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 303-571-4000
Fax: 303-571-4321
2365

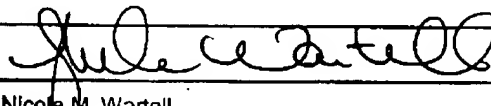
60470379 * 1

PTO/SB/21 (09-04)

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/642,203
	Filing Date	August 19, 2000
	First Named Inventor	Gillespie, Donald E.
	Art Unit	2683
	Examiner Name	Stephen M. D'Agosta
	Attorney Docket Number	020366-075210US
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Application for Patent Term Adjustment Under 37 C.F.R. 1.705(b)
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Irvin E. Branch		
Date	4/18/2005	Reg. No.	42,358

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on <u>April 18, 2005</u> .			
Signature			
Typed or printed name	Nicole M. Wartell	Date	April 18 2005

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on APRIL 18 2005

TOWNSEND and TOWNSEND and CREW LLP

By: 

Nicole M. Wartell

Attorney Docket No. 020366-075210US

PATENT
RECEIVED
CENTRAL FAX CENTER

APR 18 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gillespie

Application No.: 09/642,203

Filed: August 19, 2000

For: METHOD AND SYSTEM FOR
CONDITIONALLY ROUTING CALLS

Examiner: D Agosta, Stephen M.

Art Unit: 2683

**APPLICATION FOR PATENT TERM
ADJUSTMENT UNDER
37 C.F.R. § 1.705(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of the *Notice of Allowance and Determination of Patent Term Adjustment under 35 U.S.C. 154(b)* mailed March 24, 2005. The Patent Office has determined that the Patent Term Adjustment to day is 302 days. In accordance with 37 C.F.R. § 1.705(b), the Applicants respectfully request reconsideration of the patent term adjustment.

Statement Of Facts - 37 C.F.R. § 1.705(b)(2)

(i) Correct Patent Term Adjustment and Basis Under 37 C.F.R. §1.702

Gillespie
Application No.: 09/642,203
Page 2

PATENT

The Applicants respectfully submit that the correct patent term adjustment is 484 days. This determination is due, in part, to

(ii) **Relevant Dates for which an Adjustment is Sought under 37 C.F.R. §1.703(a) through (e)**

No adjustment is sought under 37 C.F.R. §1.703(a) through (e).

(iii) **Terminal Disclaimer**

This application is not subject to a terminal disclaimer.

(iv) **Relevant Dates for which an Adjustment is Sought for Failure to Engage in Reasonable Efforts to Conclude Processing or Examination under 37 C.F.R. §1.704**

Action	Date Mailed	PTA
Office Action	07/16/2003	
Letter Restarting Period for Response	01/16/2004	
Three months from mailing date of Restarting Period for Office Action	04/16/2004	
Response to Non-Final Action	04/15/2004	0

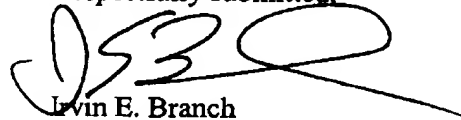
Although the Office Action was purported to have been mailed on July 16, 2003, the applicants did not receive it due to an error by the Patent Office (it was mailed to the wrong address). Recognizing this, the Examiner resent the Office Action and Restarted the Period for Response on January 16, 2004. When the PTA is calculated from the Restarting Period for Response date to the Response to the Non-Final Action date, the PTA for that period is zero days. The Applicants respectfully requests reconsideration of the patent term adjustment of 302 days indicated on the *Determination of Patent Term Adjustment under 35 U.S.C. 1.54(b)* to 484 days, as discussed above.

Gillespie
Application No.: 09/642,203
Page 3

PATENT

The Commissioner is hereby authorized to charge the fee of \$200.00 for filing an Application for Patent Term Adjustment as set forth in § 1.18(e), and any other fees which may be required, or credit any overpayment, to Deposit Account No. 20-1430.

Respectfully submitted,



Irvin E. Branch
Reg. No. 42,358

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
IEB/nmb

60466780 v1